

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

The Portland Borough Council Meeting of September 11, 2017 was called to order at 7:00 PM by Stephanie Steele, President of Borough Council.

Council Members Present for Call to Order:

*Stephanie Steele * Bridget Kenna* Heather Fischer* Steve Knott * Lisa Prator*
* Yvonne Gumaer

Brian Kardos was absent.

Others Present:

1. Michael Gaul, Borough Solicitor
2. Mayor Lance Prator
3. Mark Bahnick, Van Cleef Associates, Borough Engineer
4. Carol Hummel, Borough Secretary

Opening of Garbage Contract 2018-2022 Bid Specs

Bidder	Solid Waste Services, Inc., dba J. P. Mascaro & Sons		Waste Management of Pennsylvania, Inc.		County Waste of PA, LLC	
	annual	(5) year	annual	(5) year	annual	(5) year
ALT I	\$91,884	\$459,420	\$56,100	\$280,500	\$48,800	\$244,000
ALT II	No Bid		No Bid		\$48,800	\$244,000
ALT III	\$93,240	\$466,200	\$59,200	\$296,000	No Bid	
ALT IV	No Bid		No Bid		No Bid	
ALT V	\$91,884	\$459,420	\$56,100	\$280,500	\$48,800	\$244,000
ALT VI	No Bid		No Bid		\$48,800	\$244,000

Alternative I: MSW Collection Service (including unlimited weekly pick up and bi-weekly recycling), using a tri-axle truck

Alternative II: MSW Collection Service (including unlimited weekly pick up and bi-weekly recycling), using a ten-wheeler truck

Alternative III: MSW Collection Service (including Spring clean- up and bi-weekly recycling), using a tri-axle truck

Alternative IV: MSW Collection Service (including Spring clean- up and bi-weekly recycling), using a ten-wheeler truck

Alternative V: MSW Collection Service (including weekly single bulk item pick up and bi-weekly recycling), using a tri-axle truck

Alternative VI: MSW Collection Service (including weekly single bulk item pick up and bi-weekly recycling), using a ten-wheeler truck

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

A motion was made by Heather Fischer, 2nd by Lisa Prator to receive the bids for review, and to table consideration of an award of the contract until the next council meeting of October 2, 2017.

Question from Councilman Knott: If the bid is awarded to County Waste, LLC, will the Borough still receive a free recycle and garbage dumpster like is now provided by Waste Management of PA. Solicitor Gaul replied YES.

Motion carried: 6-0-0

Action on Minutes:

Discussion was held whether a councilperson is listed as absent or late in the secretary's minutes when roll call of council members is taken and they are not present. No action was taken.

A motion was made by Heather Fischer, 2nd by Yvonne Gumaer approving the minutes of August 7, 2017 with the following revision. Page 4, first paragraph, Slate Belt Community Partnership, strike "as one of the financial partners of the Slate Belt Community Partnership".

Motion carried: 5-0-1 (Councilwoman Stephanie Steele abstained)

Secretary/Treasurer's Report: Carol Hummel

1. Bills Presented for Payment:

Borough Operations, Borough Add-On Bills & Borough Operations Already Paid:	10,727.64
Sewer Operations & Sewer Operations Already Paid:	11,459.52
Sanitation Operations & Sanitation Operations Already Paid:	4,882.82
Community Events:	77.23
Ultra-Poly Escrow	1,430.00
TOTAL	\$ 28,577.21
a) add the October payroll and payroll taxes:	9,000.00
b) add Sunoco Fleet Gas:	475.00
TOTAL ALL BILLS ABOVE PRESENTED FOR PAYMENT:	<u>\$38,052.21</u>

A motion was made by Bridget Kenna, 2nd by Steve Knott approving the payment of the bills, as presented, in the amount of \$38,052.21.

Question: Councilwoman Prator questioned the annual budgeted amount of \$550.00 to Suburban EMS that was tabled from the July 10, 2017 bill list. Councilwoman Kenna replied that the Suburban EMS budgeted amount of \$550.00 was approved for payment on the August 7, 2017 bill list.

Motion then carried: 6-0-0

Public Comment:

1. John Bermingham, Sr: Vice Chair of the UMBT Economic Development Committee

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

It is noted in these minutes that Mr. Bermingham is allotted (15) fifteen minutes of public comment.

- Mr. Bermingham is Vice Chair of the UMBT Economic Development Committee.
- Mr. Bermingham clarified that he is not representing Upper Mount Bethel Township (UMBT) and is not formerly approved by UMBT.
- Mr. Bermingham provided a Proposal for Economic Development Strategic Alliance between Portland and UMBT.
- The proposal would need approval by both municipalities before working together.
- A steering committee should be appointed to organize and drive the process forward.
- Mayor Prator asked the fee. Mr. Bermingham replied there is no fee unless the agreement is approved.
- Once an agreement is approved a budget will be needed.
- No projects have been decided upon.

Questions/Discussion:

- President Steele asked if Mr. Bermingham is aware that the Borough is a member of the Slate Belt Rising Steering Committee (SBRC) and that that program is free.
- Thomas Fish, 307 State Street, replied as a resident that the Borough of Portland is built-out land wise and commercially, has multiple assets and sees this proposal as costing the Borough money. Mr. Fish stated that he sees this as no benefit to the Borough and does not trust UMBT.
- James Steele, 510 Coffin Alley, stated that there must be some plan that is driving you forward to take the time to present this proposal. Mr. Bermingham replied that this proposal is a mutual benefit to both municipalities. Mr. Steele asked how would you balance the return on the investment when UMBT will develop in the township and benefit with an increased tax revenue meanwhile Portland is already maxed out in development. Mr. Bermingham stated that he could not reply on some costs. Mr. Bermingham replied that fees would be negotiated.
- Councilwomen Fischer and Steele stated that more information is needed. Ms. Steele stated that a committee from Portland Council meet with the UMBT Economic Development Committee for a fact-finding mission. Mr. Bermingham stated that no UMBT Supervisors were members of the UMBT Economic Development Committee.
- There is no letter of intent from council.

A motion was made by Heather Fischer, 2nd by Yvonne Gumaer that a committee made up of council members will meet with the UMBT Economic Development Committee.

Motion carried: 4-2-0 (Councilwomen Steele and Kenna voted NO)

- a) The council members who volunteered to be members of the committee are Lisa Prator, Bridget Kenna and either Yvonne Gumaer or Heather Fischer, whichever can attend. The committee meets the fourth Thursday of the month at 7 PM at the UMBT building. The next meeting date is Thursday, September 28, 2017.

2. Janet Futchko: Janet's James, 511A Delaware Avenue

Ms. Futchko stated that she is representing the business owners of downtown Portland. The issue is parking by tenants of building owners and the canoers that frequent the Delaware River. The (2) two hour posted no parking signs are ignored and the business owners have no parking spaces for their customers. Most of the parking issues occur on the week-end. Ms. Futchko and

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

the Nicholai & Alexandra Chocolate Shoppe are both losing business. Ms. Futchko stated that she does not know what to do.

- a) Councilwoman Prator stated that parking has always been a problem in the downtown.
- b) President Steele replied that the Borough has a police department that can write parking tickets but the offenders will pay the ticket and remain in the parking spot.
- c) Chief Mulligan was present. The police department will address the parking issue.

2. Billie Golden: 108 Division Street

Mr. Golden asked if council would consider an underground bunker for the residents of Portland. The logical place would be the cellar of the municipal building with a tunnel dug across the property of the Borough towards Mike's Garage as an entrance point. President Steele thanked Mr. Golden and stated that council would take the request into consideration.

Sewer Matters:

Hach Service Contract:

- a) Service Quote from December 29, 2017 to December 29, 2018.
 - i. Quarterly billing at \$3,118.00. Total cost for the term is \$12,472.00. The quote is valid for (114) days from September 6, 2017.
 - ii. Mr. Steele stated that she spoke with Mr. LaBarre, the WWTP Operator. Mr. LaBarre recommended that the service contract be kept with Hach Co.

A motion was made by Lisa Prator, 2nd by Steve Knott authorizing President Steele to execute the Hach Service Contract for the term December 29, 2017 to December 29, 2018. Motion carried: 6-0-0

Borough Engineer's Report: Mark Bahnick, Van Cleef Engineering

1. The secretary stated to council that the Ultra-Poly Escrow Account needs additional funds. The balance today in the account is \$1,124.79 after payment of the engineering bills.

- a) The secretary stated that she cannot find any schedule of fees that needs to accompany a Subdivision and Land Development Ordinance (SALDO) application in the new SALDO ordinance that was adopted in 2015. Solicitor Gaul replied that he would write a resolution for the October 2, 2017 council meeting.
 - i. Mr. Bahnick suggested that the resolution would apply to all future development.

2. Mr. Bahnick's monthly report.

- Ultra-Poly is adding a new 130,000 square foot building on a lot adjacent to their existing building.
- The land development plans are being submitted to the Portland Planning Commission and Mr. Bahnick this week for review.
- Issues are:
 - i. noise
 - ii. detention pond
 - iii. treated effluent
 - iv. parking relief

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

WWTP:

- The waste water treatment plant is at 30% capacity.
- A second treatment unit will be on-line in 2018.
- UMBT may consider joining the sewer system, in the future, to parts of UMBT.

General:

Mr. Bahnick met with the owners of 110 Main Street to approve the paving of an existing stone driveway. Ms. Steele questioned whether a zoning permit is required.

- Mark Bahnick left the meeting at 8:23 PM.

Zoning Officer Report: Bettina Seafass, Keller Zoning & Inspection Services

Ms. Serfass was not in attendance. There was no report.

1. Councilwoman Prator asked if Ms. Serfass had visited 110 Main Street regarding the questions raised at the August 7, 2017 council meeting from neighbor Steve Becker at 111 Main Street. The secretary replied YES, a letter was sent to Mr. Becker and a copy was forwarded to the Borough.

2. Ms. Steele reported that she met with Ms. Serfass and Warren Kearney concerning the vehicles from Mike's Auto that are parked on Mr. Kearney's property across Main Street. Mr. Kearney stated at that meeting that he wrote and sent a letter to Mike's Garage with the following conditions.

- a) Mr. Kearney agrees that the vehicles can be parked there until the property is sold and changes ownership.
- c) Mr. Kearney instructed Mike's Auto to clean up the property. No unregistered vehicles are allowed.

Solicitor Gaul stated that he wants clarification that once Mike's Auto is sold and changes ownership that an agreement be made that any new owners will not be allowed to park on Mr. Kearney's property. Ms. Steele replied that she will meet with Mr. Bahnick and the Zoning Officer, Tina Serfass, for clarification of the driveway permit issue and the Kearney parking issue.

Zoning Hearing Board (ZHB):

No hearings scheduled.

UCC Building Inspectors Report:

One (1) permit was issued in August for 404 PA Avenue

Planning Commission:

None

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

Portland Borough Authority:

The Authority held a Special Services Area Meeting on August 8, 2017.

Legal:

None

Subdivision and Land Development:

Correspondence was received from Reuther & Bowen, Engineers for the Ultra-Poly Expansion Project requesting a municipal land use letter. President Steele was authorized to execute the municipal land use letter that will accompany the General NPDES Permit Application for Storm Water Discharges Associated with Construction Activities, per the Borough engineer's review and approval.

Community Development, COG & Grants:

Councilwoman Prator attended the Slate Belt COG meeting of August 23, 2017. Sexual Harassment training is pending. Cost is \$50 prepaid.

Community Events/Recreation Board:

- Community Day will be held on Saturday, October 14th from 11 AM to 4 PM.
- Trick or Treat will be observed on Saturday, October 28th from 4 to 6 PM. A costume contest will be held and free refreshments will be provided at Refiners Fire Ministry.
- Ms. Steele reported that Penny Conway, organizer of the Lights of Hope event, may not continue the event in the future because of lack of attendance.

Police Report:

The August 2016 Police Report was provided, in writing, by Chief Mulligan:

1. The report is attached to these minutes.
2. Chief Mulligan requested from council that an extended car warranty be purchased for the Ford Explorer, since this is the Borough's primary police vehicle. Two (2) options are available, a six (6) six-year 100K premium car warranty for \$2,125.00 with a \$100 deductible and \$2,580.00 with no deductible. Chief Mulligan recommended the warranty with the \$100 deductible. A motion was made by Heather Fischer, 2nd by Yvonne Gumaer to purchase the six (6) year 100K premium car warranty for \$2,125.00 with the \$100 deductible.

Question: Councilman Knott asked if the warranty covers everything. Chief Mulligan replied that it covers "bumper to bumper".

Motion then carried: 6-0-0

3. No action was taken on the additional hire of Police Officer candidate Mark Nicosia.
4. Proposed Regional Police Department:
 - a) President Steele asked if there was any interest from council. No action was taken.

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017

To be discussed in Executive Session.

Mayor's Report:

- Performed three (3) wedding ceremonies.
- Attended a meeting at UMBT regarding a Request for Proposal (RFP) for EMS services from Suburban EMS. The RFP was taken off the table.
- Suburban EMS will headquarter at the Mount Bethel Fire Company.
- Portland has been nominated by the Lehigh Valley Planning Commission as a Community of Distinction along with Bethlehem Township, Catasauqua and Heidelberg Township. Mayor Prator will attend on October 17, 2017.

Streets Department:

1. Report from Councilman Knott:

- Suggested to advertise the Snow-Ice bid specifications on the PennBid internet site.
- State Street will be tarred and chipped by PennDot starting today. They will return to sweep and line paint.
- The secretary reported that she has contacted Frank Russo for permission to dump this winter's snow on his Hester Street property. Permission granted per a telephone conversation.
- Mr. Knott has a verbal quote from Portland Contractors to repair the drain at the corners of 411 PA Avenue and 117 Main Street at the cost of approximate \$2,000 to \$3,000. A written proposal will be secured for the October 2, 2017 council meeting.
- A motion was made by Lisa Prator, 2nd by Yvonne Gumaer authorizing the streets department to purchase materials and repair the drain on Main Street across from the "Pokey" at a cost not to exceed \$1,500. Motion carried: 6-0-0

2. Snow-Ice Bid Contract, Councilman Steve Knott:

- The 1998 GMC Dump Truck was repaired at a cost of \$300. It will be used to plow the Borough parking lots. Park & Walk, Park & Ride, Fire Company Social Hall, Engine House, Municipal Lots.
- A verbal quote of \$2,700 to purchase and install a cinder spreader for the 1998 GMC Dump Truck. A written proposal will be secured for the October 2, 2017 council meeting.
- Mr. Knott stated that the 2016-2017 winter season snow-ice removal costs were over \$50,000.
- Councilwoman Prator stated that she made the motion at the August 7th council meeting to not put the Snow-Ice bid specs out to bid because we are a small Borough and no one wants to service the Borough. Ms. Prator stated that we would be going through the same scenario that happened last season. Ms. Prator stated she would like to have the contract bid specs modified to see if anyone would bid.
- Ms. Prator asked the cost of PennBid. Solicitor Gaul replied that it is his understanding that it is free for the bidders to sign up for PennBid. Each Bidder would need to set up an account to participate in bidding. Solicitor Gaul stated that he doubted than any local contractor would submit a bid.
- Ms. Steele asked if the Borough's cost of service should include an amount to compensate the contractor for increased insurance costs, as occurred in the last season's contract. The council consensus was NO.
- Thomas Fish suggested that the Borough should have two (2) of everything for back-up for next year and loosen up the requirements.

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

- Mr. Knott will arrange to meet with Peacock Pond Farm, Mike Sarisky, for a snow-ice removal quote.

A motion was made by Lisa Prator, 2nd by Yvonne Gumaer to modify the contract to,

- i. A minimum of two (2) hours to salt and cinder the roads.
- ii. The parking lots will not be included in the bid specs.
- iii. The contractor will prepare a report of salt and cinders used for each storm occurrence.
- iv. The contractor will prepare a report for the weather of the day and temperature of the roads for each storm occurrence.
- v. Solicitor Gaul will modify the contract and advertise the bid specifications in the Express-Times due back to the Borough by the October 2, 2017 council meeting.

Motion carried: 6-0-0

- Mr. Knott stated that Steve Frei has changed his mind and will not plow the Borough parking lots.
- Ms. Kenna stated that her concern is that there is no back up plan if the dump truck breaks down.

A motion was made by Lisa Prator, 2nd by Yvonne Gumaer to purchase a salt and cinder spreader for the 1998 GMC Dump Truck, the cost not to exceed \$3,000, accompanied by a written receipt. Motion carried: 4-2-0 (Stephanie Steele and Bridget Kenna voted NO)

Sanitation:

None

Building Committee:

None

Budget, Finance, Insurance, & Cable TV Contract:

1. Items for the 2018 Budget that need to be considered should be forwarded to the committee as soon as possible.
2. The insurance committee should meet to review the renewal for 2018.
3. The Budget Committee members are Stephanie Steele, Bridget Kenna and Yvonne Gumaer.
4. The Budget Committee met with the representatives of the Portland Hook & Ladder Co. #1 on August 16th concerning financial assistance from the Borough toward the purchase of a new fire engine.
 - a) Present tonight are Thomas Fish, Michael Sullivan and James Steele, options
 - i. the Borough can finance a twenty (20) year loan at a better interest rate
 - ii. the Fire Company can mortgage against their property
 - b) The first payment on the new fire engine is due in February 2018.
 - c) Solicitor Gaul recommended that if the Borough distributes funds for the costs of the

BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017

truck, that the Borough distributes funds directly to the leasing company or lender, as opposed to making distributions to the Fire Company for that purpose. Solicitor Gaul believed that the Borough could re-structure the existing Fire Company lease purchase agreement in the name of the Borough, or obtain a loan to pay off the costs of the Fire Company lease purchase agreement, but each alternative would need to be investigated. A motion was made by Lisa Prator, 2nd by Bridget Kenna for the Borough to move forward with re-structuring the lease purchase of a 2015 E1 fire truck based on the Borough's credit for the purpose of reducing the annual costs of the truck.

Question:

a) Ms. Steele stated that the Borough is not making the entire purchase of the fire truck; the Borough is still working on the 2018 budget; that there is no misunderstanding going forward from anyone in the fire department that there will be a set dollar amount from the Borough; that the Borough is not making the entire purchase amount; and that the Borough will be investigating the terms and payments.

b) Thomas Fish asked the turnaround time for documentation. Solicitor Gaul replied sixty (60) days. Mr. Fish gave an overview of the fire company's financial report of which the Borough has a copy.

- i. There is \$90K in the fire company truck fund.
- ii. The February 2018 payment is \$40,500. The company will be able to make that payment but not the payment after.
- ii. The state grant fund of \$10K is not guaranteed.
- iv. They will receive a \$5K donation from Lamtec Corp.
- v. Working on fund raising.

Motion then carried: 6-0-0

Ordinance Update Committee:

None

Council, Policy & Procedure Committee:

None

Slate Belt Rising Committee (SBRC):

a) A Trail to Town Jamboree will be held at the Wind Gap Park on September 17, 2017 from 8 AM to 4 PM hosted partially by Slate Belt Rising, Boy Scout Troop #33 and Wind Gap Borough.

b) Portland Borough has been recommended for a \$20,000 grant from the Community Investment Partnership Program. Final approval will be made at the October 2017 meeting of the Northampton County Council. The next meeting of the SBRC will be held Thursday, October 12, 2017 at Bangor Borough.

c) A Public Meeting Open House will be held on Wednesday, September 20, 2017 from 6 to 8 PM at the Bangor Borough Administration Office hosted by SBRC, to learn more about Regional Branding and Strategy as part of a larger revitalization effort.

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

d) Mayor Prator announced that on September 23, 2017 the Historical Bangor Business Association is sponsoring a Wine & Music Event from 12 Noon to 6 PM in the Bangor downtown business block on Broadway.

Correspondence:

a) From Mayor Prator:

- i. Rural Water – WWTP Operations seminar at Northampton Memorial Community Center, Northampton PA on October 18, 2017.
- ii. CH Planning Consultants advertisement.
- iv. Security Service Company is now a Co-Stars supplier.
- v. An invitation to the Community Action Committee Lehigh Valley (CACLV) 2017 annual meeting on September 27, 2017.

b) The Lehigh Valley Planning Commission (LVPC) is accepting registrations for the PA Municipal Planning Education Institute courses in community planning and land use regulations.

Secretary's Announcements:

a) Refiners Fire Ministry:

Pastor Phil Karasiewicz's father has passed away. The secretary will keep you updated on a memorial service.

Old Business:

None

New Business:

None

Executive Session:

A motion was made by Lisa Prator, 2nd by Steve Knott to adjourn to executive session at 9:43 PM. Motion carried: 6-0-0

Discussion: Consultation with Solicitor Gaul on pending legal matters and personnel.

A motion was made by Lisa Prator, 2nd by Heather Fischer to reconvene from executive session at 10:30 PM. Motion carried: 6-0-0

Action Taken: None

Other Business:

The secretary reported that she is unable to attend the Northampton County Tax Collection Committee meeting to be held on October 12, 2017 at the Bethlehem Township Municipal Building at 8:30 AM.

**BOROUGH OF PORTLAND
COUNCIL MEETING SEPTEMBER 11, 2017**

Adjourn:

The next meeting of the Portland Borough Council will be held on October 2, 2017 at 7:00 PM.

A motion to adjourn the meeting at 10:33 PM was made by Lisa Prator, 2nd by Yvonne Gumaer.
Motion carried: 6-0-0

Respectfully Submitted by,

Carol A. Hummel

Carol A. Hummel, Secretary

Police Report for August 2017

Traffic Citations Issued: 14 for \$1948.00

Non-Traffic Citations Issued: 0

Criminal Arrests: 3

Parking Tickets: 2

Incidents: 37

Parking/Traffic- 16	Warrants- 0	DUI-0
Theft Reports- 4	General Complaint- 0	Disorderly Conduct-0
Curfew Violation-0	Noise Complaint- 0	Suspicious activities-0
Ems-5	Underage Drinking-0	Furnishing Alcohol-0
Criminal Mischief- 0	Public Drunk- 0	Found Property- 0
Civil- 0	Domestic- 1	Agency Assist- 3
Prisoner Transports-0	MVA-0	Fire Company-1
Animal-0	Disable/Motorist- 1	Harassment-0
Burglary-0	Pursuit-0	Narcotics- 2
Trespassing-0	Mental Health-0	Alarm-0
Attempted Suicide-0	Assault-0	Missing person-0
Road hazard- 0	911 Hang-up- 2	Foot patrol/Building cks-2

Vehicle Mileage:

Ford Utility: 1353

Ford Car: 12

Other:

Overall we had a decent month with a few more criminal arrests, two drug related and one for the car break-ins. Officer Domenico is doing great on his own and seems to be very productive. I am hearing that the Ford motor has issues after 60,000. So I am requesting we purchase the extended care warranty. The water pumps are internal and cost approx \$1200.00 to repair. They have a 6 year 100K premium care warranty for \$2125.00 with \$100.00 deductible and \$2580.00 for no deductible. I would choose the \$100.00 deductible. I also completed the annual juvenile reporting for the state.

Thank you.

Respectfully Submitted, Chief Robert Mulligan